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**FACSIMILE TRANSMISSION****Total # of Pages 13 (including this page)**

TO:	PHONE #:	FAX #:
Mail Stop: Amendment USPTO Examiner Alton N. Pryor Art Unit 1616		703 872-9306

*SR*  
**From :** Stephen E. Reiter for Richard J. Warburg,  
Attorney for Applicant

**Date :** January 13, 2005**Client/Matter No :** 072827-0372**User ID No :** 1559**MESSAGE:****RE:** United States Patent Application No. 10/797,355**Attached are the following:**

- Amendment Transmittal (3 pages) (in duplicate)
- Amendment and Reply Under 36 CFR 1.111 (6 pages)
- Request for one month extension of time
- Authorization to charge deposit account No. 50-0872 \$60.00

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Operator:	Time Sent:	Return Original To: Diane S. Garcia
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Atty. Dkt. No. 072827-0372

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Alan L. Mueller, et al.


Title: Compounds Active at a Novel Site  
on Receptor-Operated Calcium  
Channels Useful for Treatment of  
Neurological Disorders and  
Diseases

Appl. No.: 10/797,355

Filing Date: 02/23/2004

Examiner: A. Pryor

Art Unit: 1616

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
<u>Stephen E. Reiter</u>	
(Printed Name)	
<u></u>	
(Signature)	
<u>January 13, 2005</u>	
(Date of Deposit)	

**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous  
assertion of Small Entity status.

☐ Assertion of Small Entity status is enclosed.

☒ The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	1	- 20	= 0	x \$50.00	= \$0.00

Atty. Dkt. No. 072827-0372

Independent Claims:	1	-	3	=	0	x	\$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:	+						\$360.00	=	\$0.00
CLAIMS FEE TOTAL								=	\$0.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$120.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$120.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$120.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$60.00
TOTAL FEE:		\$60.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$60.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$60.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such

Atty. Dkt. No. 072827-0372

extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to  
Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address  
indicated below.

Respectfully submitted,

Date

1/13/05

By

SEP EL

FOLEY &amp; LARDNER LLP

Customer Number: 33588

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Stephen E. Reiter, Reg. No. 31,192,  
For Richard J. Warburg,  
Reg. No. 32, 327, Attorney for Applicant

Atty. Dkt. No. 072827-0372

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Alan L. Mueller, et al.

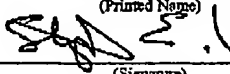
Title: Compounds Active at a Novel Site  
on Receptor-Operated Calcium  
Channels Useful for Treatment of  
Neurological Disorders and  
Diseases

Appl. No.: 10/797,355

Filing Date: 2/23/2004

Examiner: A. Pryor

Art Unit: 1616

<b>CERTIFICATE OF MAILING</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.  Stephen E. Reiter (Printed Name)  (Signature)  January 13, 2005 (Date of Deposit)
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**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated 09/13/2004,  
concerning the above-referenced patent application.

Applicant has enclosed with this amendment a Petition for Extension of Time to make  
this response timely.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2  
of this document.

**Remarks** begin on page 4 of this document.